## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| IN RE APPLICATION OF  | )  |           |
|---|--|-----------|
| Bauer et al.  | ) GROUP ART UNIT: Not Availak            | ole       |
| SERIAL NO: Not Available  | ) EXAMINER: Not Available                | P T =     |
| FILED: December 9, 1996   | )<br>) DATE: February 8, 2002            | 72571<br> |
| TITLE: Co-Administration of Interleukin-3 I Lineage Hematopoietic Cell Production | Mutant Polypeptides with CSFs For Multi- | 10/0      |

## UNDER 37 CFR 1.97-1.99

Hon. Commissioner of Patents & Trademarks Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed pursuant to 37 CFR §1.97-1.99, as supplemented by MPEP §609. Attached is PTO Form 1449 listing documents believed to be material to the subject matter claimed in the above-identified application as of the filing date of said application.

Presentation of these documents listed on PTO Form-1449 is not an admission that any listed document is prior art under the Patent Statutes and the right is reserved to antedate any material described in the listed documents by a showing under 37CFR §1.131 or otherwise.

The following patents and publications are listed on PTO Form-1449.

| 4,810,643     | 03/07/89 | Souza         |
|---------------|----------|---------------|
| 4,877,729     | 31/89    | Clark et al.  |
| 4,959,455     | 09/25/90 | Clark et al.  |
| 4,999,291     | 03/12/94 | Souza         |
| 4,438,032     | 03/20/94 | Golde et al.  |
| 5,073,627     | 12/17/91 | Curtis et al. |
| 5,218,092     | 06/08/93 | Sasaki et al. |
| 5,032,395     | 07/16/91 | Clark et al.  |
| 5,591,427     | 01/1997  | Vadas et al.  |
| EP 413,383 A1 | 02/20/91 | EP            |
| 110,000 111   | 02/20/52 | <del></del>   |

1

| WO | 93/07171 | 04/15/93 | PCT |
|----|----------|----------|-----|
| WO | 92/04455 | 03/19/92 | PCT |
| WO | 92/06166 | 04/16/92 | PCT |
| ΕP | 0183350  | 06/04/86 | EPO |
| WO | 88/05469 | 03/07/91 | PCT |
| WO | 90/01039 | 02/08/90 | PCT |
| WO | 90/12877 | 11/01/90 | PCT |
| EP | 0337359  | 10/18/89 | EP  |

Aglietta, M., et al., Stem Cells Dayt 2 (83): 83-7 (1993)

Applebaum, F.R., Cancer, 72 (11 Suppl): 3387-92 (1993)

Bodine, D.M. et al., Blood 78 (4): 914-20 (1991)

Brandt, J., et al., Blood 79 (3): 634-641 (1992)

Brandt, J.E., et al., Blood 83 (6): 1507-1514 (1994)

Briddell, R.A., et al., Blood 76 (3): 516-522 (1990)

Broxmeyer, H.E., et al., J.Immun 141: 3852-3862 (1988)

Broxmeyer, H.E., et al., Blood 77 (10): 2142-2149 (1991)

Brugger, W., et al., Blood 81 (10): 2679-2584 (1993)

Bruno, E., et al., Blood 73 (3): 671-677 (1989)

Bruno E., et al., Blood 77 (11): 2339-2346 (1991)

Donahue, R.E., et al., Science 241: 1820-1823 (1988)

Donahue, R.E. et al, Annals N.Y. Acad. Of Sci 51: 10-16 (1987)

Emerson, S.G., et al., J. Clin. Invest. 82: 1282-1287 (1988)

Farese, A.M., et al., Blood 82 (10): 3012-3018 (1993)

Ganser, A., et al., Blood 79 (10): 2583-2591 (1992)

Gordon, M.S., et al., Blood 80 (2): 302-307 (1992)

Grosh, W.W. et al., Clin Immunol Immunopathol 62 (1 Pt 2): s25-38 (1992)

Heyworht, C.M., et al., Growht Factors 2 (2-3): 197-211 (1990)

Iscova, N.N., et al., J. Immun 142: 2332-2337 (1989)

Ikebuchi, K., et al., Proc. Natl. Acad. Sci. USA 84: 9035-9039 (1987)

Jacobsen, S.E.W. et al., Blood 80 (3): 678-687 (1992)

Jacobsen, F.W., et al., Blood 84 (3): 775-779 (1994)

Jacobsen, S.E.W., et al., J. Exp. Med. 181:1357-1363 (1995)

Kaushansky, K., et a., Proc. Natl. Acad. Sci.USA 92: 3234-3238 (1995)

Kawano, Y., et al., Blood 77 (10): 2118-2121 (1991)

Kawano, Y., et al., Stem Cells 12: 514-520 (1994)

Krumwieh, D. et al., Int J. Cell Cloning 1 (229): 229-47 (1990)

Lopez, A.F., et al., Proc. Natl. Acad. Sci. USA 89: 11842-11846 (1992)

Mayani, H., et al., Blood 81 (12): 3252-3258 (1993)

MacVittie, T.J., et al., Blood 84 (8): 2515-2522 (1994)

Metcalf, D. et al., Blood 79 (11): 2861-2866 (1992)

Metcalf, D. Stem Cells Dayt 2 (1): 1-11 (1993)

Metcalf, D. Blood 82 (12): 3515-3523 (1993)

Moore, M.A. Cancer 65 (3 Suppl): 836-44 (1990)

Moore, M.A. Blood 78 (1): 1-19 (1991)

Nand, S., et al., Blood 83 (2): 357-360 (1994)

Neidhart, J.A. Cancer Supplement 72 (11): 3381-3386 (1993)

Ogawa, M. Blood 81 (11): 2844-53 (1993)

Pietsch, T., et al., Blood 80 (5): 1199-206 (1992)

Ploemacher, R.E., et al., Leukemia 7 (9): 1381-1388 (1993)

Rennick, D., et al., Expermintal Hematology 22: 136-141 (1994)

Robinson, B.E., et al., J. Clin. Invest. 79:1648-1652 (1987)

Sekhsaria, S. et al., Blood 81 (8): 2152-2130 (1993)

Sieff, C.A., et al., Blood 73 (3): 688-693 (1989)

Smith, S.L., et al., Exp. Hem. 21 (7): 870-7 (1993)

Sonoda, Y., et al., Proc. Natl. Acd. Sci. USA 85:4360-4364 (1988)

Stahl, C.P., et al., Blood 80(10): 1479-2485 (1992)

Sutherland, H.J., et al., Blood 81 (6): 1465-1470 (1993)

Takaue, Y., et al., Blood 76 (2): 330-5 (1990) Tsuji, K., et al., Blood 79 (11): 2855-60 (1992) Warren, D.J., et al., J. of Immunology 140: 94-99 (1988)

Copies of the cited documents are not enclosed to avoid overburdening the Examiner with duplicative copies of the documents. The cited documents are identical to those supplies for the co-pending parent application Serial No. 08/446,871. Applicants will provide copies of the documents at the Examiner's request.

Additionally, the Examiner is requested to note that some references submitted with this statement may have publication dates less than one (1) year earlier than the earliest filing date to which this application is entitled. Inclusion of a reference in this statement is not intended to and does not constitute an admission that any such reference is prior art with respect to the invention.

Please charge the appropriate fee to Deposit Account No. 19-1025.

espectfully submitted

S Christopher Bauer Registration No. 42,305 636-737-6257 (St. Louis)

fax 636-737-5452

Pharmacia Corporate Patent Department 800 N. Lindbergh Blvd.
Mail Zone O4E
St. Louis, MO 63167

Form PTO 1449

U.S. Department of Commerce Patent and Trademark Office

C-2789/1

APPLICANT

APPLICANT

(Use several sheets if necessary)

Filing Date

06/06/95

1812

|               |         | U.S                | . PATENT      | DOCUMENTS    |             |              |                |
|---------------|---------|--------------------|---------------|--------------|-------------|--------------|----------------|
| * Exmr.<br>In | <br>    | Document<br>Number | Issue<br>Date | Name         | US<br>Class | Sub<br>Class | Filing<br>Date |
|               | AA      | 4,810,643          | 7 Mar 89      | Souza        | 1           | <br>         | <br>           |
|               | AB      | 4,877,729          | 31 Oct 89     | Clark et al. | l<br>       | i<br>!       | t<br>!         |
|               | AC      | 4,959,455          | 25 Sep 90     | Clark et al. | <br>        |              | !<br>!<br>!    |
|               | AD      | 4,999,291          | 12 Mar 94     | Souza        | i           | i            | i<br>          |
|               | - I A F | 1 5 033 30E        | 16 Jul 91     | Clark of al  | 1           |              |                |

|     |    | FOREI              | N PATEN        | T DOCUMENTS |                |              |     |            |
|-----|----|--------------------|----------------|-------------|----------------|--------------|-----|------------|
|     |    | Document<br>Number | Public<br>Date | Country     | Int'l<br>Class | Sub<br>Class | Y   | Trans<br>N |
|     | AF | WO 86/00639        |                | PCT         |                |              |     |            |
|     | AG | WO 88/00598        |                | PCT         | i  <br>        |              |     |            |
|     | АН | EP A<br>0275598    | ]<br>          |             |                |              |     |            |
|     | AI | WO 88/05469        |                | PCT         |                |              |     |            |
|     | AJ | WO 88/06161        |                | PCT         |                |              |     |            |
|     | AK | WO 90/12874        |                | PCT         | <br>           |              |     |            |
|     | AL | WO 91/00350        | ]<br>          | PCT         | <br>           | <br>         |     | .          |
|     | AM | WO 91/07988        | 01 Dec 89      | PCT         |                | i            |     |            |
|     | AX | EP 413,383<br>A1   | 20 Feb 91      | EP          |                | ]<br> <br>   | . 1 | 1          |
| i ! | AY | WO 93/07171        | 15 Apr 93      | PCT         |                | 1            |     |            |

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

| 1  | AN | Ihle et al., <u>J.IMMUNOL</u> . <u>126</u> :2184 (1981)                   |
|--|----|---|
| <br>   | AO | Fung et al., <u>NATURE</u> <u>307</u> :233 (1984)                         |
| l<br>1                                       | AP | Yokota et al., PROC.NATL.ACAD.SCI. USA 81:1070 (1984)                     |
| 1  | AQ | Yang et al., <u>CELL 47</u> :3 (1986)                                     |
| }  | AR | Dorssers et al., <u>GENE 55</u> :115 (1987)                               |
| <br> <br>                                    | AS | Clark-Lewis et al., <u>SCIENCE</u> 231:134 (1986)                         |
|  | AT | Clark-Lewis et al., PROC.NATL.ACAD.SCI. USA 85:7897(1988)                 |
| <br> <br>                                    | AU | Curtis et al., PROC.NATL.ACAD.SCI. USA 88:5809 (1991)                     |
| !<br>!                                       | AV | Williams et al., <u>Cancer</u> 67:2705-2707 (1991)                        |
| <br> <br>                                    | WA | Lokker et al., <u>THE EM80 JOURNAL 10</u> :2125 (1991)                    |
| <u>                                     </u> | AZ | Aglietta, M., et al., <u>Stem Cells Dayt</u> 2(83):83-7 (1993).           |
|  | BA | Appelbaum, F.R. <u>Cancer</u> 72(11 Suppl):3387-92 (1993).                |
| 1  | BB | Bodine, D.M.et al., <u>Blood</u> 78(4):914-20 (1991).                     |
|  | вс | Brandt, J., et al. <u>Blood</u> 79(3):634-641 (1992).                     |
| 1  | BD | Brandt, J.E., et al., <u>Blood</u> 83(6):1507-1514 (1994).                |
|  | BE | Briddell, R.A. et al., Blood 76(3):516-522 (1990).                        |
| <u> </u>                                     | BF | Broxmeyer, H.E., et al. <u>J. Immun</u> 141:3852-3862 (1988).             |
|  | BG | Broxmeyer, H.E., et al. <u>Blood</u> 77(10):2142-2149 (1991).             |
| i<br>I                                       | ВН | Brugger, W., et al., <u>Blood</u> 81(10):2679-2584 (1993).                |
|  | BI | Bruno, E., et al., <u>Blood</u> 73 (3):671-677 (1989).                    |
| <del>i</del><br>I                            | BJ | Bruno, E., et al., <u>Blood</u> 77(11):2339-2346 (1991).                  |
| !  | вк | Donahue, R.E., et al., <u>Science</u> 241:1820-1823 (1988).               |
| <br>   | BL | Donahue, R.E., et al., <u>Annals N. Y. Acad. of Sci</u> 511:10-16 (1987). |
| i<br>i                                       | BM | Emerson, S.G., et al., <u>J. Clin. Invest.</u> 82:1282-1287 (1988).       |
| 1  | BN | Farese, A.M., et al., <u>Blood</u> 82(10): 3012-3018 (1993).              |
| I  | во | Ganser, A., et al., Blood 79(10):2583-2591 (1992).                        |
|  | BP | Gordon, M.S. et al., <u>Blood</u> 80(2):302-307 (1992).                   |
| L  | BQ | Grosh, W.W. et al., Clin Immunol Immunopathol 62(1 Pt 2):s25-38 (1992).   |
| 1  | BR | Heyworth, C.M., et al., <u>Growth Factors</u> 2(2-3): 197-211 (1990).     |
|  | •  |   |

| <del></del> | <u>-</u> - |  |
|-------------|------------|--|
| В           | as i       | Iscova, N.N., et al., <u>J. Immun</u> 142:2332-2337 (1989)                     |
| В           | зт         | Ikebuchi, K., et al., Proc. Natl. Acad. Sci. USA 84:9035-9039 (1987).          |
| В           | 3U         | Jacobsen, S.E.W.et al., <u>Blood</u> 80(3):678-687 (1992).                     |
| В           | 37         | Jacobsen, F.W., et al., <u>Blood</u> 84(3):775-779 (1994).                     |
| В           | W.         | Jacobsen, S.E.W., et al., <u>J. Exp. Med.</u> 181:1357-1363 (1995).            |
| В           | 3X         | Kaushansky, K., et al., <u>Proc. Natl. Acad. Sci. USA</u> 92:3234-3238 (1995). |
| В           | BY I       | Kawano, Y., et al., Blood 77(10):2118-2121 (1991).                             |
| В           | 3Z         | Kawano, Y., et al., <u>Stem Cells</u> 12:514-520 (1994).                       |
| С           | CA         | Krumwieh, D., et al., <u>Int J Cell Cloning</u> 1(229):229-47 (1990).          |
| С           | CB I       | Lopez, A.F., et al., <u>Proc. Natl. Acad. Sci. USA</u> 89:11842-11846 (1992).  |
| С           | CC         | Mayani, H., et al., <u>Blood</u> 81(12):3252-3258 (1993).                      |
| С           | CD         | MacVittie, T.J., et al., <u>Blood</u> 84(8):2515-2522 (1994).                  |
| С           | CE         | Metcalf, D. et al., <u>Blood</u> 79(11):2861-2866 (1992).                      |
| . с         | CF         | Metcalf, D. <u>Stem Cells Dayt</u> 2(1):1-11 (1993).                           |
| С           | CG         | Metcalf, D. <u>Blood</u> 82(12):3515-3523 (1993).                              |
| С           | СН         | Moore, M.A. <u>Cancer</u> 65(3 Suppl):836-44 (1990).                           |
| C           | CI !       | Moore, M.A. <u>Blood</u> 78(1):1-19 (1991).                                    |
| С           | IJ         | Nand, S., et al., <u>Blood</u> 83(2):357-360 (1994).                           |
| С           | ск         | Neidhart, J.A. <u>Cancer Supplement</u> 72(11):3381-3386 (1993).               |
| С           | CL         | Ogawa, M. <u>Blood</u> 81(11):2844-53 (1993).                                  |
| C           | CM         | Pietsch, T., et al., <u>Blood</u> 80(5):1199-206 (1992).                       |
| С           | CN         | Ploemacher, R.E., et al., <u>Leukemia</u> 7(9):1381-1388 (1993).               |
| С           | 00         | Rennick, D., et al., Experimental Hematology 22:136-141): (1994).              |
| C           | CP .       | Robinson, B.E., et al., J. Clin. Invest. 79:1648-1652 (1987).                  |
| С           | CQ !       | Sekhsaria, S. et al., <u>Blood</u> 81(8):2152-2130 (1993).                     |
| C           | CR ¦       | Sieff, C.A., et al., Blood 73(3):688-693 (1989).                               |
| C           | cs !       | Smith, S.L., et al., Exp. Hem. 21(7):870-7 (1993).                             |
| C           | CT         | Sonoda, Y., et al., Proc. Natl. Acd. Sci. USA 85:4360-4364 (1988).             |
| <u> </u>    | Ī          | (1900).  |

|      | Sutherland, H.J., et | al., Blood 81(6):1465-1470 (1993). |
|------|----------------------|------------------------------------|
| i    |                      | • —                                |
| CW i | Takaue, Y., et al.,  | Blood 76(2):330-5 (1990).          |
| СХ   | Tsuji, K., et al., B | lood 79(11):2855-60 (1992).        |
| CY   | Warren, D.J. et al., | J. of Immunology 140:94-99 (1988). |
|      |                      | DATE CONSIDERED                    |
|      | СХ                   | CX Tsuji, K., et al., E            |

<sup>\*</sup> Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.